

TITLE 410 INDIANA DEPARTMENT OF HEALTH

Emergency Rule LSA Document #21- (E)

DIGEST

Temporarily adds provisions governing operation of facilities where eyelash extensions are applied, and education and training requirements for individuals applying eyelash extensions. Authority IC 4-22-2-37.1; IC 16-19-3-4.5; IC 16-19-3-5. Effective December 31, 2021.

SECTION 1. The definitions in this document apply throughout this document.

SECTION 2. "Cleaned" means removal of all visible dust, soil, or any other foreign material.

SECTION 3. "Contaminated" means the presence or reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

SECTION 4. "Department" means the Indiana Department of Health.

SECTION 5. "Eyelash extensions" means strands of silk, mink, or another synthetic or natural material that are applied one (1) at a time and fixed to an individual's natural eyelashes.

SECTION 6. "Facility" is any room, space, or business where eyelash extensions are applied to members of the public.

SECTION 7. "Intermediate level disinfection" means a process that inactivates:

- (1) *Mycobacterium tuberculosis***
 - (2) vegetative bacteria**
 - (3) most viruses**
 - (4) most fungi**
- but does not necessarily kill bacterial spores.**

SECTION 8. "Personal protective equipment" means specialized clothing or equipment worn for protection against contact with blood or other potentially infectious materials.

SECTION 9. "Sterilize" or "sterilization" means the use of a physical or chemical procedure to destroy all microbial life, including highly resistant bacterial endospores.

SECTION 10. (a) This document establishes operations of facilities where eyelash extensions are applied to members of the public.

(b) Requirements in this document are applicable to all individuals who wish to practice the application of eyelash extensions who are not licensed estheticians.

SECTION 11. (a) All individuals who wish to practice the application of eyelash extensions

must obtain a certification from a certification program recognized by the Department.

(b) Certification programs must include the following:

Theory and Demonstration	15 hours
<u>Actual Practice</u>	<u>30 hours</u>
Total	45 hours

(c) Certification programs must include training on the below topics.

- (1) Proper application techniques for eyelash extensions**
- (1) Methods and procedures related to the application of eyelash extensions**
- (2) Appropriate sanitization and disinfection**
- (3) Prevention of cross contamination**
- (4) Adhesives (including ingredients and contraindications)**
- (5) Consultation processes for potential clients**
- (6) Proper safety practices**

(d) A document attesting to the individual's certification must be displayed in a prominent location within the facility.

SECTION 12. (a) All clients must receive a consultation prior to service.

(b) Clients with the following conditions must not receive service.

- (1) Lack of natural lash hair (very sparse natural lash hairs).**
- (2) Alopecia.**
- (3) Chemotherapy hair loss.**
- (4) Mechanically damaged lashes.**
- (5) Trichotillomania.**
- (6) Poor lash health (short, thin, or fragile lashes).**
- (7) Allergies to adhesive or adhesive ingredients.**
- (8) Thyroid medication.**
- (9) Eye infection.**
- (10) Recovering from an eye procedure or surgery.**

SECTION 13. Any individual employed by the facility or anyone acting on behalf of the facility who has a reasonably anticipated risk for skin, eye, or mucous membrane contact shall have and use personal protective equipment as required by this document.

SECTION 14. Business owners shall develop a written policy in compliance with this document that:

- (a) requires the use of gloves when performing the application of eyelash extensions or any other activity or duty that includes any reasonably anticipated skin, eye, or mucous membrane contact;**
- (b) requires disinfection or sterilization of contaminated reusable items; and**
- (c) provides sanctions, including discipline and dismissal, if warranted, for failure to adhere to the provided policy.**

SECTION 15. Individuals practicing the application of eyelash extension shall refrain from the practice of eyelash extension application if they are experiencing

symptoms of acute disease including, but not limited to:

- (1) Diarrhea.**
- (2) Vomiting.**
- (3) Fever.**
- (4) Rash.**
- (5) Productive cough.**
- (6) Jaundice.**
- (7) Draining (or open) skin infections, boils, impetigo, or scabies.**

SECTION 16. (a) All instruments used, including tweezers, shall be sterilized prior to use on a customer using the process in this subsection. Instruments shall be:

- (1) washed in a low residue detergent and rinsed prior to sterilization;**
- (2) disinfected using an EPA registered bactericide, viricide, and fungicide disinfectant, used according to manufacturer's instructions; and**
- (3) after disinfection, sterilized using one of the following methods:**
 - (A) A steam autoclave sterilizer in which the instruments are subjected to saturated steam of the pressure of fifteen (15) pounds per square inch for thirty (30) minutes at two hundred fifty (250) degrees Fahrenheit; or**
 - (B) A dry heat sterilizer in which instruments are heated for two (2) hours at three hundred forty (340) degrees Fahrenheit.**

(b) All eyelash extension practitioners shall:

- (1) wash their hands in fresh water with germicidal soap (antimicrobial) or use alcohol-based hand rub immediately before serving each customer; and**
- (2) when performing application of eyelash extensions, wear protective gloves, which must be disposed of after providing the service to a customer.**

(c) All disposable items used by an eyelash extension practitioner, including but not limited to:

- (1) cotton swabs;**
- (2) cotton balls;**
- (3) eyelash/mascara wands;**
- (4) lashes;**
- (5) adhesive; and**
- (6) tape**

shall be disposed of after serving each customer.

SECTION 17. (a) Hot and cold running water shall be supplied to the facility.

(b) The water supply required in subsection (a) shall be connected with a pressure supply whenever it is available.

SECTION 18. (a) Handwashing facilities and alcohol-based hand rub shall be readily accessible where eyelash extension application is provided.

(b) Hands shall be cleaned immediately before putting on gloves and after removal of gloves or other personal protective equipment. Only single-use towels shall be used.

(c) Handwashing should be conducted with soap and running water when hands are visibly soiled.

SECTION 19. (a) Disposable gloves, such as surgical or examination type, shall be worn during the eyelash extension application process. Gloves shall be changed and properly disposed of each time there is an interruption in the application of the eyelash extensions, when the gloves become torn or punctured, or whenever the ability to function as a barrier is compromised. Disposable gloves shall not be reused.

(b) Gloves shall be worn when performing equipment sterilization.

SECTION 20. All individuals performing the application of eyelash extensions shall at all times while serving customers wear a clean, washable outer garment.

SECTION 21. Floors, walls, and furniture shall be kept clean and sanitary at all times.

SECTION 22. (a) Clean towels, linens, and headbands shall be:

(1) used for each customer; and

(2) stored in a clean and closed cabinet or drawer until use.

(b) Soiled towels, linens, and headbands shall be stored in a covered hamper.

SECTION 23. (a) There shall be at least one (1) covered waste receptacle located in every work unit.

(b) As used in subsection (a), "work unit" refers to the following:

(1) Chairs and tables (other than waiting room chairs and tables).

(2) Booths.

SECTION 24. (a) Facilities where eyelash extension services are provided shall maintain a separate room that is used exclusively for those services.

(b) The room required under subsection (a) shall be surrounded by ceiling to floor walls and accessed only by doors that shall remain closed when eyelash extension services are being performed.

SECTION 25. There shall be at least one (1) hydraulic facility treatment chair or bed on the premises.

SECTION 26. (a) A disposable or clean washable draping shall be placed between the facility treatment chair or bed and the client.

(b) If a washable draping is used, there shall be at least twelve (12) clean drapings on the premises.

(c) Disposable drapings shall not be reused.

SECTION 27. There shall be at least one (1) stool for individuals performing application of eyelash extensions on the premises.

SECTION 28. (a) There shall be at least one (1) utility table for each facility treatment chair or bed on the premises.

(b) As an alternative to the requirement in subsection (a), one (1) continuous countertop may be used.

SECTION 29. There shall be at least one (1) hands-free magnification lamp on the premises.

SECTION 30. (a) No eyelash extension application shall be conducted in any room used as living quarters or in any room that opens directly into living or sleeping quarters.

(b) Live animals shall be excluded from areas where eyelash extensions are being applied. This exclusion does not apply to the following:

(1) Patrol dogs accompanying security or police officers.

(2) Guide dogs accompanying the following:

(A) Blind persons

(B) Partially blind persons

(C) Physically disabled persons

(D) Guide dog trainers

(E) Persons with impaired hearing

(c) Eating, drinking, and smoking shall not be allowed in work areas.

(d) Food and drink shall not be kept in work areas.

(e) All equipment and environmental surfaces shall be cleaned and disinfected in between clients.

(f) All work surfaces shall be:

(1) nonabsorbent;

(2) easily cleanable;

(3) smooth; and

(4) free of breaks, open seams, cracks, chips, pits, or similar imperfections.

(g) Disinfectant solutions shall be:

(1) hospital grade, tuberculocidal Environmental Protection Agency (EPA) registered disinfectant; or

(2) sodium hypochlorite, five-tenths percent (0.5%) concentration, by volume (common household bleach in ten percent (10%) concentration in water). This solution shall be dated and shall not be used if it is more than twenty-four (24) hours old.

SECTION 31. (a) There must be at least one (1) wet EPA registered bactericide, viricide, and fungicide disinfectant and one (1) dry sanitizer on the premises.

(b) Each workstation must have at least one (1) wet sanitizer or disinfectant or one (1) dry sanitizer.

SECTION 32. (a) This SECTION applies to reusable equipment.

(b) Heating procedures capable of sterilization must be used when heat stable, nondisposable equipment is sterilized.

(c) Equipment that is to be sterilized shall be put in single-use packaging.

(d) Records must be maintained to document the following:

(1) Duration of sterilization technique.

(2) Determination of effective sterility, such as use of a biological indicator, is

performed monthly.

(3) Equipment is maintained as recommended by the owner's manual.

(e) Reusable contaminated equipment shall not be stored or processed in a manner that requires any person to reach by hand into the containers where sharp items have been placed.

(f) Reusable contaminated equipment shall be:

(1) Placed in puncture-resistant containers;

(2) labeled with the biohazard symbol;

(3) leakproof on both sides and bottom; and

(4) stored in a manner that does not require reaching by hand into the container where the equipment is stored until cleaning prior to sterilization.

(g) Reusable contaminated equipment shall be effectively cleaned prior to sterilization or disinfection.

(h) Sterilized equipment shall not be removed from wrappers or sterilizer packaging until immediately prior to use.

(i) Any reusable equipment that comes into contact with mucus membranes shall be effectively cleaned and sterilized prior to use.

(j) All reusable equipment that has contact with intact skin shall undergo, at a minimum, intermediate level disinfection.

(k) All other equipment used during the application of eyelash extensions shall be single use.

(l) All individuals practicing the application of eyelash extensions shall comply with all equipment manufacturers recommendations related to sterilization and disinfection.

SECTION 33. This document expires March 31, 2022.